

Order

Michigan Supreme Court
Lansing, Michigan

June 26, 2009

Marilyn Kelly,
Chief Justice

137652 (65)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 137652
COA: 275215
Washtenaw CC: 05-001189-FH

DAVID KIRCHER,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's May 1, 2009 order is considered, and it is DENIED, because it does not appear that the order was entered erroneously.

KELLY, C.J., and CAVANAGH and MARKMAN, JJ., would grant the motion for reconsideration and would grant leave to appeal for the reasons set forth in Justice Markman's dissenting statement in *People v Kircher*, ___ Mich ___ (Docket No. 137652, decided May 1, 2009).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 26, 2009

Corbin R. Davis

Clerk